

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554  
MAR 26 2004

OFFICE OF  
MANAGING DIRECTOR

Lon C. Levin  
Mobile Satellite Ventures LP  
10802 Parkridge Blvd.  
Reston, VA 20191

Re: Mobile Satellite Ventures Subsidiary LLC  
Request for Refund of Application Filing Fees  
Fee Control No. 0306058210030001

Dear Mr. Levin:

This letter responds to your request (dated December 8, 2003) submitted on behalf of Mobile Satellite Ventures Subsidiary LLC (MSV) for a refund of the application fees filed in connection with the addition of Ancillary Terrestrial Components (ATC) to its Mobile Satellite Service (MSS) system. Specifically, you request a refund of the \$7,050.00, \$1,410.00, and \$300.00 application fees submitted in connection with a "Modification of License for AMSC-1 to Add ATC," an "Amendment to Next-Generation Replacement Application to Add ATC," and a "Modification of Two Mobile Earth Station Licenses to Add ATC," respectively, for a total refund of \$8,760.00. Our records reflect that you paid the application fees at issue here.

In your request, you state that MSV filed the three applications on June 4, 2003 and paid a total of \$8,760.00 in filing fees. Stating that "the Commission rules under which . . . [MSV] filed these applications are not in effect," Commission staff returned the applications to MSV "without prejudice to refiling on or after the effective date of the underlying rules."<sup>1</sup> You state that on November 18, 2003, after the rules became effective, MSV refiled the three applications and again submitted the appropriate filing fees.<sup>2</sup> You assert that "[t]he fees submitted with the June 4th applications that the Commission staff did not process were effectively an 'overpayment' of filing fees within the meaning of Section 1.1113."

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<sup>1</sup> See Letter from Thomas H. Tycz, Chief, Satellite Division, International Bureau, FCC, to Mr. Bruce D. Jacobs, Esq. and Mr. David S. Konczal, Esq. (dated June 24, 2003) (*June 24 Letter*); see also *Flexibility for Delivery of Communications by MSS Providers*, 18 FCC Rcd 1962 (2003).

<sup>2</sup> You state that the fees accompanying the refiled applications are \$150.00 less than the original filing fees because MSV originally requested modification of two earth station licenses with a filing fee of \$150.00 per license, whereas in its newly-filed application MSV is requesting modification of only one earth station license.

As noted in the *June 24 Letter*, the rules under which MSV filed the three applications at issue here were not yet in effect at the time MSV filed the applications. MSV's applications were prematurely filed and not subject to substantive review. Further, MSV submitted the appropriate filing fees when MSV subsequently filed timely applications. We therefore find that a refund of the original application filing fees is appropriate. See 47 C.F.R. § 1.1108 and 1.1113(a). We therefore grant your request for a refund of the \$8,760.00 application filing fees.

A check, made payable to the maker of the original checks, and drawn in the total amount of \$8,760.00, will be sent to you at the earliest practicable time. If you have any questions concerning this letter, please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,



Mark A. Reger  
Chief Financial Officer

**ShawPittman LLP**

A limited liability partnership providing professional services

0306058210030001

TO: Mr. Mark Reger  
Mr. Tom Putnam

DATE: December 8, 2003

ORGANIZATION: FCC

FAX NUMBER: (202) 418-2843

PHONE NUMBER:

TOTAL PAGES (INCLUDING COVER) 19

FROM: David Konczal

PHONE NUMBER: (202) 663-8432

E-MAIL ADDRESS: david.konczal@shawpittman.com

FAX NUMBER: (202) 663-8007

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If you do not receive all pages, please call 202.663.8613

**Fax Department Information**

REQUEST TRANSMISSION BY

CLIENT NUMBER: 34232-0023

TIME TRANSMITTED.

USER ID NUMBER: 3740

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December 8, 2003

**Via Hand Delivery**  
 Mr. Andrew Fishel  
 Office of Managing Director  
 Federal Communications Commission  
 445 12th Street, S.W.  
 Washington, D.C. 20554

**Re: Request for Refund of Application Filing Fee  
 Mobile Satellite Ventures Subsidiary LLC**

Dear Mr. Fishel:

In January 2003, the Commission adopted rules allowing Mobile Satellite Service ("MSS") licensees to apply to add an Ancillary Terrestrial Component ("ATC") to their MSS systems.<sup>1</sup> On June 4, 2003, pursuant to these new rules, Mobile Satellites Ventures Subsidiary LLC ("MSV") filed three separate applications for authority to add ATC to (i) its currently authorized MSS system; (ii) its planned next-generation, replacement MSS system; and (iii) the foreign-licensed MSS system of Mobile Satellite Ventures (Canada) Inc. MSV submitted a total filing fee of \$8760 for these three applications, which are summarized below.

<u>File Number</u>	<u>Purpose of Application</u>	<u>Fee Paid</u>
1. SAT-MOD-20030604-00110	Modification of License for AMSC-1 to Add ATC	\$7050
2. SAT-AMD-20030604-00111	Amendment to Next-Generation Replacement Application to Add ATC	\$1410
3. SES-MOD-20030604-00874	Modification of Two Mobile Earth Station Licenses to Add ATC	\$300
Total fee:		\$8760

Attachment A contains the Form 159s that accompanied these applications.

On June 24, 2003, the International Bureau returned these applications to MSV because the rules pursuant to which MSV filed its applications for ATC authority had not yet become effective. See Attachment B. The International Bureau stated that this action was without prejudice to MSV re-filing its applications after the effective date of the rules adopted in the ATC

<sup>1</sup>See *Flexibility for Delivery of Communications by MSS Providers, Report and Order*, IB Docket No. 01-185, 18 FCC Rcd 1962 (January 29, 2003) ("ATC Order").

Mr. Andrew Fishel  
December 8, 2003  
Page 2

*Order. Id.* These rules have now become effective.<sup>2</sup> On November 18, 2003, MSV re-filed its three applications and submitted the appropriate filing fees.<sup>3</sup>

Pursuant to Section 1.1113 of the Commission's rules, MSV hereby respectfully requests a refund in the amount of \$8760 for the filing fees it submitted with its three applications on June 4, 2003. 47 C.F.R. § 1.1113. MSV has now paid twice for the same applications. The fees submitted with the June 4<sup>th</sup> applications that the Commission staff did not process were effectively an "overpayment" of filing fees within the meaning of Section 1.1113. If a refund is issued, the Commission will still have collected the required filing fees in connection with MSV's November 18th applications. If the filing fees are not refunded, however, the Commission will be receiving double payment for the same applications. For these reasons, pursuant to Section 1.1113(a)(5), MSV requests that the Commission waive the filing fees applicable to MSV's June 4<sup>th</sup> applications and issue to MSV a refund in the amount of \$8760. 47 C.F.R. § 1.1113(a)(5).

Please direct any questions regarding this matter to David Konczal of Shaw Pittman LLP at (202) 663-8432 (e-mail: David.Konczal@shawpittman.com).

Very truly yours,

  
Lon C. Levin

Of counsel:  
Bruce D. Jacobs  
David S. Konczal  
SHAW PITTMAN LLP  
2300 N Street, NW  
Washington, DC 20037-1128  
(202) 663-8000

cc: Mark Reger, OMD, FCC (via facsimile)  
Tom Putman, OMD, FCC (via facsimile)  
Howard Griboff, IB, FCC (via hand delivery)

---

<sup>2</sup>See 68 FR 49372 (August 18, 2003); see also 68 FR 47856 (August 12, 2003).

<sup>3</sup>The total fee MSV has submitted with its re-filed applications is \$150 less than submitted with its original applications. This reflects the fact that, in its original application, MSV requested modification of two earth station licenses with a filing fee of \$150 per license whereas, in its newly filed application, MSV is requesting modification of only one earth station license.

**Attachment A**

**Forms 159**

File NumberPurpose of ApplicationFee Paid

1. SAT-MOD-20030604-00110

Modification of License for  
AMSC-1 to Add ATC

\$7050

DUPLICATE

**ShawPittman LLP***A Limited Liability Partnership including Professional Corporations*AMSC-1 SAT-MOD-20030604-00110  
MOBILE SATELLITE VENTURES SUBSIDIARY  
LLC  
AMSC-1

June 4, 2003

**DELIVER VIA COURIER TO MELLON BANK**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

FCC/MELLON  
JUN 04 2003

**Re: Mobile Satellite Ventures Subsidiary LLC  
Request for Minor Modification of L-band Space Station License (AMSC-1)  
For Authority to Construct and Operate an Ancillary Terrestrial Component**

Dear Ms. Dortch:

Mobile Satellite Ventures Subsidiary LLC ("MSV") hereby files an original and nine (9) copies of an application for a minor modification of its L-band space station license for AMSC-1 to add authority to construct and operate an ancillary terrestrial component ("ATC"). An FCC Form 312 is attached hereto as Exhibit G.

On this date, MSV has also filed two identical applications for (i) minor amendment of its pending application, to launch and operate a next-generation L-band replacement satellite system to add authority to construct and operate an ATC; and (ii) minor modification of its mobile earth terminal ("MET") licenses authorizing access to the L-band satellite MSAT-1, licensed by Industry Canada, to add authority to construct and operate an ATC. MSV requests consolidated treatment of these three applications.

MSV has submitted herewith the required filing fee of \$7050 and an FCC Form 159.

Please contact the undersigned with any questions.

Very truly yours,



Bruce D. Jacobs  
David S. Konczal



<b>READ INSTRUCTIONS CAREFULLY BEFORE PROCEEDING</b>	<b>FEDERAL COMMUNICATIONS COMMISSION REMITTANCE ADVICE</b>	Approved by <b>OMB</b> 3060-0589 Page No <u>1</u> of <u>1</u>																														
(1) LOCKBOX #  358210	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;"><b>SPECIAL USE</b></td> <td style="width:50%;"></td> </tr> <tr> <td><b>FCC USE ONLY</b></td> <td></td> </tr> </table>		<b>SPECIAL USE</b>		<b>FCC USE ONLY</b>																											
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<b>FCC USE ONLY</b>																																
<b>SECTION A - PAYER INFORMATION</b>																																
(2) PAYER NAME (if paying by credit card, enter name exactly as it appears on your card) Mobile Satellite Ventures LP		(3) TOTAL AMOUNT PAID (U.S. Dollars and cents) \$7050.00																														
(4) STREET ADDRESS LINE NO. 1 10802 Parkridge Boulevard																																
(5) STREET ADDRESS LINE NO. 2																																
(6) CITY Reston	(7) STATE VA	(8) ZIP CODE 20191																														
(9) DAYTIME TELEPHONE NUMBER (include area code) (703) 390-2700	(10) COUNTRY CODE (if not in U.S.A.)																															
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(14) STREET ADDRESS LINE NO. 1 10802 Parkridge Boulevard																																
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(21) APPLICANT (FRN) 0005-8839-96	(22) APPLICANT (TIN) 54-2059821																															
<b>COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET</b>																																
(23A) CALL SIGN/OTHER ID AMSC-1	(24A) PAYMENT TYPE CODE BFY	(25A) QUANTITY 1																														
(26A) FEE DUE FOR (PTC) 7,050.00	(27A) TOTAL FEE 7,050.00	FCC USE ONLY																														
(28A) FCC CODE 1	(29A) FCC CODE 2																															
(23B) CALL SIGN/OTHER ID	(24B) PAYMENT TYPE CODE	(25B) QUANTITY																														
(26B) FEE DUE FOR (PTC)	(27B) TOTAL FEE	FCC USE ONLY																														
(28B) FCC CODE 1	(29B) FCC CODE 2																															
<b>SECTION D - CERTIFICATION</b>																																
(30) CERTIFICATION STATEMENT I, _____, certify under penalty of perjury that the foregoing and supporting information is true and correct to the best of my knowledge, information and belief.																																
SIGNATURE _____ DATE _____																																
<b>SECTION E - CREDIT CARD PAYMENT INFORMATION</b>																																
(31) <input type="checkbox"/> MASTERCARD  <input type="checkbox"/> VISA	MASTERCARD/VISA ACCOUNT NUMBER <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> </tr> </table>																					EXPIRATION <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> <td style="width:10%; height: 20px;"></td> </tr> </table>										
I hereby authorize the FCC to charge my VISA or MASTERCARD for the service(s) authorization herein described. SIGNATURE _____ DATE _____																																

File NumberPurpose of ApplicationFee Paid

2. SAT-AMD-20030604-00111

Amendment to Next-Generation  
Replacement Application to Add  
ATC

\$1410

**ShawPittman LLP***A Limited Liability Partnership including Professional Corporations*

DUPLICATE

S2358 SAT-AMD-20030604-00111  
Mobile Satellite Ventures Subsidiary LLC  
S2358

June 4, 2003

**DELIVER VIA COURIER TO MELLON BANK**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

FCC/MELLON

JUN 04 2003

**Re: Mobile Satellite Ventures Subsidiary LLC  
File No. SAT-ASG-20010302-00017 et al.  
Request for Minor Amendment of Pending Application to Launch and  
Operate a Next-Generation L-band Replacement Satellite System to Add  
Authority to Construct and Operate an Ancillary Terrestrial Component**

Dear Ms. Dortch:

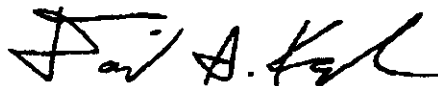
Mobile Satellite Ventures Subsidiary LLC ("MSV") hereby files an original and nine (9) copies of an application for a minor amendment of its above-captioned pending application, to launch and operate a next-generation L-band replacement satellite system to add authority to construct and operate an ancillary terrestrial component ("ATC"). An FCC Form 312 is attached hereto as Exhibit G.

On this date, MSV has also filed two identical applications for (i) modification of its L-band space station license for AMSC-1 to add authority to construct and operate an ATC; and (ii) minor modification of its mobile earth terminal ("MET") licenses authorizing access to the L-band satellite MSAT-1, licensed by Industry Canada, to add authority to construct and operate an ATC. MSV requests consolidated treatment of these three applications.

MSV has submitted herewith the required filing fee of \$1410 and an FCC Form 159.

Please contact the undersigned with any questions.

Very truly yours,



Bruce D. Jacobs  
David S. Konczal

READ INSTRUCTIONS CAREFULLY BEFORE PROCEEDING		<b>FEDERAL COMMUNICATIONS COMMISSION</b> <b>REMITTANCE ADVICE</b>		Approved by OMB 3060-0589 Page No. 1 of 1	
(1) LOCKBOX # 358210		<b>SECTION A - PAYER INFORMATION</b>			
(2) PAYER NAME (if paying by credit card, enter name exactly as it appears on your card) Mobile Satellite Ventures LP		(3) TOTAL AMOUNT PAID (U.S. Dollars and cents) \$1410.00			
(4) STREET ADDRESS LINE NO. 1 10802 Parkridge Boulevard		(5) STREET ADDRESS LINE NO. 2 Mobile Satellite Ventures Subsidiary LLC			
(6) CITY Reston		(7) STATE VA		(8) ZIP CODE 20191	
(9) DAYTIME TELEPHONE NUMBER (include area code) (703) 390-2700		(10) COUNTRY CODE (if not in U.S.A.) -			
(11) PAYER (FIRN) 0007-7057-42		(12) PAYER (TIN) 54-1993801			
<b>FCC REGISTRATION NUMBER (FIRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED</b>					
IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)					
(13) APPLICANT NAME Mobile Satellite Ventures Subsidiary LLC					
(14) STREET ADDRESS LINE NO. 1 10802 Parkridge Boulevard		(15) STREET ADDRESS LINE NO. 2 -			
(16) CITY Reston		(17) STATE VA		(18) ZIP CODE 20191	
(19) DAYTIME TELEPHONE NUMBER (include area code) (703) 390-2700		(20) COUNTRY CODE (if not in U.S.A.) -			
<b>FCC REGISTRATION NUMBER (FIRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED</b>					
(21) APPLICANT (FIRN) 0005-8839-96		(22) APPLICANT (TIN) 54-2059821			
<b>COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET</b>					
(23A) CALL SIGN/OTHER ID -		(24A) PAYMENT TYPE CODE CMY		(25A) QUANTITY 1	
(26A) FEE DUE FOR (PTC) 1,410.00		(27A) TOTAL FEE 1,410.00			
(28A) FCC CODE 1 -		(29A) FCC CODE 2 -			
(23B) CALL SIGN/OTHER ID -		(24B) PAYMENT TYPE CODE -		(25B) QUANTITY -	
(26B) FEE DUE FOR (PTC) -		(27B) TOTAL FEE -		(28B) FCC CODE 1 -	
(29B) FCC CODE 2 -		(30) CERTIFICATION STATEMENT I, _____, certify under penalty of perjury that the foregoing and supporting information is true and correct to the best of my knowledge, information and belief.			
<b>SECTION E - CREDIT CARD PAYMENT INFORMATION</b>					
(31) MASTERCARD <input type="checkbox"/>		(32) VISA <input type="checkbox"/>			
(33) MASTERCARD VISA ACCOUNT NUMBER -		(34) EXPIRATION -			
I hereby authorize the FCC to charge my VISA or MASTERCARD for the service(s)/authorization herein described.					
SIGNATURE -		DATE -			

<u>File Number</u>	<u>Purpose of Application</u>	<u>Fee Paid</u>
3. SES-MOD-20030604-00874	Modification of Two Mobile Earth Station Licenses to Add ATC	\$300

**ShawPittman LLP****RECEIPT COPY***A Limited Liability Partnership Including Professional Corporations*

June 4, 2003

**DELIVER VIA COURIER TO MELLON BANK****Ms. Marlene H. Dortch****Secretary****Federal Communications Commission****445 12th Street, S.W.****Washington, D.C. 20554****FCC/MELLON  
JUN 042003**

**Re: Mobile Satellite Ventures Subsidiary LLC  
Call Signs E980179; E990133  
Request for Minor Modification of Mobile Earth Terminal Licenses  
Authorizing Access to Foreign-Licensed L-band Satellite MSAT-1 to Add  
Authority to Construct and Operate an Ancillary Terrestrial Component**

**Dear Ms. Dortch:**

Mobile Satellite Ventures Subsidiary LLC ("MSV") hereby files an original and two (2) copies of an application for a minor modification of its mobile earth terminal ("MET") licenses authorizing access to the L-band satellite MSAT-1, licensed by Industry Canada, to add authority to construct and operate an ancillary terrestrial component ("ATC"). An FCC Form 312 is attached hereto as Exhibit G.

On this date, MSV has also filed two identical applications for (i) minor modification of its L-band space station license for AMSC-1 to add authority to construct and operate an ATC; and (ii) minor amendment of its pending application, to launch and operate a next-generation L-band replacement system to add authority to construct and operate an ATC. MSV requests consolidated treatment of these three applications.

MSV has submitted herewith the required filing fee of \$300 and an FCC Form 159.

Please contact the undersigned with any questions.

Very truly yours,



**Bruce D. Jacobs  
David S. Konczal**

Washington, DC  
Northern Virginia  
New York  
Los Angeles  
London

READ INSTRUCTIONS CAREFULLY  
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION  
REMITTANCE ADVICE

Approved by GMB

3060-0589

Page No 1 of 2

(1) LOCKBOX #

58160

SPECIAL USE

FCC USE ONLY

SECTION A - PAYER INFORMATION

(2) PAYER NAME (if paying by credit card, enter name exactly as it appears on your card)

Mobile Satellite Ventures LP

(3) TOTAL AMOUNT PAID (U.S. Dollars and cents)

\$300.00

(4) STREET ADDRESS LINE NO. 1

10802 Parkridge Boulevard

(5) STREET ADDRESS LINE NO. 2

(6) CITY

Reston

(7) STATE

VA

(8) ZIP CODE

20191

(9) DAYTIME TELEPHONE NUMBER (include area code)

(703) 390-2700

(10) COUNTRY CODE (if not in U.S.A.)

FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED

(11) PAYER (FRN)

0007-7057-42

(12) PAYER (TIN)

54-1993801

IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B  
IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)

(13) APPLICANT NAME

Mobile Satellite Ventures Subsidiary LLC

(14) STREET ADDRESS LINE NO. 1

10802 Parkridge Boulevard

(15) STREET ADDRESS LINE NO. 2

(16) CITY

Reston

(17) STATE

VA

(18) ZIP CODE

20191

(19) DAYTIME TELEPHONE NUMBER (include area code)

(703) 390-2700

(20) COUNTRY CODE (if not in U.S.A.)

FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED

(21) APPLICANT (FRN)

0005-8839-96

(22) APPLICANT (TIN)

54-2059821

COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET

(23A) CALL SIGN/OTHER ID

E980179

(24A) PAYMENT TYPE CODE

CGB

(25A) QUANTITY

1

(26A) FEE DUE FOR (PTC)

150.00

(27A) TOTAL FEE

150.00

FCC USE ONLY

(28A) FCC CODE 1

(29A) FCC CODE 2

(23B) CALL SIGN/OTHER ID

E990133

(24B) PAYMENT TYPE CODE

CGB

(25B) QUANTITY

1

(26B) FEE DUE FOR (PTC)

150.00

(27B) TOTAL FEE

150.00

FCC USE ONLY

(28B) FCC CODE 1

(29B) FCC CODE 2

SECTION D - CERTIFICATION

(30) CERTIFICATION STATEMENT

I, \_\_\_\_\_, certify under penalty of perjury that the foregoing and supporting information is true and correct to the best of my knowledge, information and belief. SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

SECTION E - CREDIT CARD PAYMENT INFORMATION

(31)

MASTERCARD/VISA ACCOUNT NUMBER:

EXPIRATION

☐ MASTERCARD

☐ VISA

I hereby authorize the FCC to charge my VISA or MASTERCARD for the service(s)/authorization herein described.

SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

**Attachment B**

**June 24<sup>th</sup> Letter from IB**





**FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554**

June 24, 2003

**In Reply Refer To:**

File No. SAT-MOD-20030604-00110

SAT-AMD-20030604-00111

SES-MOD-20030604-00874

Mr. Bruce D. Jacobs  
Mr. David S. Konczal  
Shaw Pittman LLP  
2300 N Street, N.W.  
Washington, D.C. 20037-1128

**Re: Mobile Satellite Ventures Subsidiary LLC  
Application for Minor Modification of Space Station License (AMSC-1)  
Application for Minor Amendment of Pending Application to Launch and  
Operate a Next-Generation Replacement MSS Satellite System (S2358)  
Application for a Minor Modification of Blanket Authorization to Operate Mobile  
Earth Terminals (E980179 and E990133)**

Dear Messrs. Jacobs and Konczal:

An examination of the above-referenced applications shows that the Commission rules under which you filed these applications are not in effect. We therefore return your applications, and associated motion to designate the proceedings as "permit-but-disclose" for *ex parte* purposes, without prejudice to refiling on or after the effective date of the underlying rules. Should you choose to refile, we encourage you to address the items listed in the attachment to facilitate our review of your applications. If you have further questions, please contact Howard Griboff of my staff at (202) 418-0657.

Sincerely,

A handwritten signature in dark ink, appearing to read "Thomas S. Tycz".

Thomas S. Tycz  
Chief, Satellite Division  
International Bureau

**Attachment & Enclosures**

cc: Mr. John P. Janka  
Larham & Watkins LLP  
555 Eleventh Street, N.W., Suite 1000  
Washington, D.C. 20004-1304

## ATTACHMENT

1. Provide a technical analysis of the vocoder factor change from the originally submitted -7.4 dB to -3.5 dB, including a technical discussion describing the population distribution assumed in the analysis. Provide a technical description of how this new vocoder factor affects the interference received at other L-Band satellites.
2. Provide an in-depth explanation of why the -4 dBi average antenna gain should be used instead of the 0 dBi mainbeam gain, with a corresponding interference analysis. Explanation should take into consideration a realistic distribution of pointing angles for describing interference considerations and the patterns of different typical cell-phone antenna types and installations. Technical descriptions of antenna patterns should be based upon envelope patterns developed from measurements on multiple antennas or upon detailed antenna pattern measurements.
3. Provide a rationale for changes in the base station antenna gain for high elevation angles, including details of any interference studies used to justify the change in the antenna patterns.
4. Provide an interference analysis showing how the proposed ATC system meets the criteria of 3% increase in noise for all other L-Band MSS systems given the increase in the number of base stations and the changes in the vocoder and MET and base station antenna gains.
5. Supplement the justification for waiver of the requirement that a geostationary MSS ATC licensee maintain a spare satellite on the ground within one year of commencing operations, in light of the fact that the MSAT-1 satellite is reported to be experiencing technical difficulties.
6. Provide technical detail showing how the proposed combined GSM/CDMA ATC system will produce no more interference into other co-frequency and adjacent frequency systems than the initially submitted L-Band ATC system. The detail should include the methodology used to apportion transmissions between the two multiple access technologies.
7. Technical parameters of the proposed ATC operations that are different from those set forth in adopted 47 C.F.R. § 25.253 of the Commission's rules must be supported by a waiver request with appropriate rationale.
8. Provide separate applications with separate fees for each of the mobile earth terminal modification requests (station call signs E980179 and E990133).

AR012-A  
12/15/2003  
9:33:37

RAMIS ACCOUNTS RECEIVABLE - (c) DSG, Inc.  
RECEIPTS DETAIL REPORT  
SORTED BY TRANSACTION DATE, CD No., FEE CONTROL No.

PAGE 1  
12/15/2003  
9:33:37

CD No.	CD DATE	FEE CONTROL No.	FRN	PAYER NAME	TRANSACTION DATE	RECEIPT AMOUNT
560732	6/05/03	0306058210030001	0007705742	Mobile Satellite Ventures LP	6/04/03	\$7,050.00

Seq: 1 Call Sign: AMSC1 FCC Code 1: AMSC1 FCC Code 2:  
PTC: BFY QTY: 1 Applied Amt: 7050.00 Tin Number: 0542059821  
Applicant Name: MOBILE SATELLITE VENTURES SUBS  
Address: 10802 PARKRIDGE BOULEVARD

- Total Applied: \$7,050.00 Total Receipt: \$7,050.00



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Page 1 of 1  
Monday, December 15, 2003 08:19 AM

# RAMIS ACCOUNT RECEIVABLES Form 159 Receipt Report

Form Contract No.	Assigned Firm	Project FIRM	Project Name	Transmission Date	Call Sign	FCC Chan 1	FCC Chan 2	TR Number	FY	Quantity	Receipt Amount
0201086210627001	0005863986	0005863986	MOBILE SATELLITE VENTURES 8 LBS	1/25/02	MSATZ			0542059821	BFY	1	\$8,670.00
0306056210030001	0005863986	0007705742	MOBILE SATELLITE VENTURES 8 LP	6/8/03	AMSC1	AMSC1		0542059821	BFY	1	\$7,050.00
0311246210072001	0005863986	0007705742	MOBILE SATELLITE VENTURES 8 LP	11/25/03	AMSC1		1B2003002332		BFY	1	\$7,050.00

Grand Total : \$28,770.00

AR012-A  
12/15/2003  
9:34:13

RAMIS ACCOUNTS RECEIVABLE - (c) DSG, Inc.  
RECEIPTS DETAIL REPORT  
SORTED BY TRANSACTION DATE, CD No., FEE CONTROL No.

PAGE 1  
12/15/2003  
9:34:13

CD No.	CD DATE	FEE CONTROL No.	FRN	PAYER NAME	TRANSACTION DATE	RECEIPT AMOUNT
560732	6/05/03	0306058210031001	0007705742	Mobile Satellite Ventures LP	6/04/03	\$1,410.00

Seq: 1 Call Sign: FCC Code 1: FCC Code 2: Tin Number: 0542059821  
PTC: CWY QTY: 1 Applied Amt: 1410.00  
Applicant Name: MOBILE SATELLITE VENTURES SUBS  
Address: 10802 PARKRIDGE BOULEVARD  
Total Applied: \$1,410.00 Total Receipt: \$1,410.00



# RAMIS ACCOUNT RECEIVABLES

## Form 159 Receipt Report

File Control No.	Agency	Agency Name	Transaction Date	Call Type	FCC Code 1	FCC Code 2	TIN Number	PTC	Quantity	Invoice Amount
0309056210031001	0005683986	0007705742	MOBILE SATELLITE VENTURES LP	6/8/03			0542059821	CWY	1	\$1,410.00
0311248210072002	0005683986	0007705742	MOBILE SATELLITE VENTURES LP	11/25/03	SZ368	1B2003002336		CWY	1	\$1,410.00
0311248210072003	0005683986	0007705742	MOBILE SATELLITE VENTURES LP	11/25/03	SZ368	1B2003002331		CWY	1	\$1,410.00

Grand Total : \$4,230.00

AR012-A  
12/15/2003  
9:36:00

RAMIS ACCOUNTS RECEIVABLE - (c) DSG, Inc.  
RECEIPTS DETAIL REPORT  
SORTED BY TRANSACTION DATE, CD No., FEE CONTROL No.

PAGE 1  
12/15/2003  
9:36:00

CD No.	CD DATE	FEE CONTROL No.	FRN	PAYER NAME	TRANSACTION DATE	RECEIPT AMOUNT
560732	6/05/03	0306058160532002	0007705742	Mobile Satellite Ventures LP	6/04/03	\$300.00
Seq: 1 Call Sign: E980179 FCC Code 1: E980179 FCC Code 2: Tin Number: 0542059821						
PTC: CGB QTY: 1 Applied Amt: 150.00						
Applicant Name: MOBILE SATELLITE VENTURES SUBS						
Address: 10802 PARKRIDGE BOULEVARD						
Seq: 2 Call Sign: E990133 FCC Code 1: E990133 FCC Code 2: Tin Number: 0542059821						
PTC: CGB QTY: 1 Applied Amt: 150.00						
Applicant Name: MOBILE SATELLITE VENTURES SUBS						
Address: 10802 PARKRIDGE BOULEVARD						
Total Applied:			\$300.00	Total Receipt:	\$300.00	

RAMIS ACCOUNT RECEIVABLES  
Form 159 Receipt Report

File Control No.	Applicant FICL	Payor FICL	Payor Name	Transaction Date	Call Sign	FCC Code 1	FCC Code 2	TRE Number	PTC	Quantity	Receipt Amount
0112178160026002	0005883996	0004972782	SHAW PITTMAN	7/16/02	E900081			0542059821	CGB	1	\$145.00
0112218160031001	0005883996	0004972782	SHAW PITTMAN	7/16/02	E900081			0542059821	CGB	1	\$145.00
0201148160054001	0005883996	0004972782	SHAW PITTMAN	1/25/02	E900081			0542059821	CGB	1	\$145.00
0202198160087002	0005883996	0004972782	SHAW PITTMAN	2/20/02	E900081			0542059821	CGB	1	\$145.00
0203158160115001	0005883996	0004972782	SHAW PITTMAN	3/21/02	E900081	E900081		0542059821	CGB	1	\$145.00
0204238160163001	0005883996	0004972782	SHAW PITTMAN	4/25/02				0542059821	CGB	1	\$145.00
0209098160318001	0005883996	0004972782	SHAW PITTMAN LLP	9/10/02	E930367			0542059821	CGB	1	\$145.00
0209098160318001	0005883996	0004972782	SHAW PITTMAN LLP	9/10/02	E980179			0542059821	CGB	1	\$145.00
0209098160318001	0005883996	0004972782	SHAW PITTMAN LLP	9/10/02	E990133			0542059821	CGB	1	\$145.00
Sub Total :											\$435.00
0306058160532002	0005883996	0007705742	MOBILE SATELLITE VENTURES LP	6/6/03	E980179	E980179		0542059821	CGB	1	\$150.00
0306058160532002	0005883996	0007705742	MOBILE SATELLITE VENTURES LP	6/6/03	E990133	E990133		0542059821	CGB	1	\$150.00
Sub Total :											\$300.00
0311198160083001	0005883996	0004972782	SHAW PITTMAN LLP	11/20/03	E980179	E980179			CGB	1	\$150.00

Grand Total : \$1,755.00